

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Lewis and Clark

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-18-292
-vs-)	
)	DECISION
CATHERINE ARTIS PLOUFFE,)	
)	
Defendant.)	

On November 7, 2018, the District Court sentenced Defendant to the Department of Corrections for three (3) years, for the offense of Count II: Theft, a Felony, in violation of §45-6-301(a), MCA. The Court ordered the sentence to run consecutively to the sentences imposed in DC 16-265 and DC -16-406. The Court granted Defendant credit for time served from May 31, 2018 – November 7, 2018. The Court dismissed Count I: Burglary, a Felony.

On April 5, 2019, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

Done in open Court this 5th day of April, 2019.

DATED this 25th day of April, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



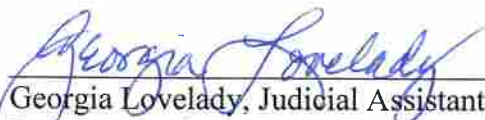
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 7th day
of May, 2019, to:

Clerk of District Court (Original)
Catherine Artis Plouffe #3020041, Defendant (2)
Hon. Michael McMahon
Brent Getty, Defense Counsel
Lisa Leckie, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant
Sentence Review Division